

July 18, 2011

REPORT:

**Investigation into Diversion of Scrap
Metals**

City of Stamford



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Scope of Investigation

Kroll was retained by the Director of Legal Affairs for the City of Stamford (“the City” or “the client”) to investigate the possible diversion and/or theft of scrap metal by City employees. The client reported to Kroll that on April 8, 2010, employees of the Road Maintenance division sold used City snowplows to LaJoie’s Auto & Scrap Recycling in Norwalk, Connecticut, and received cash payments in return. The client reported that the City has an exclusive contract with Rubino Brothers in Stamford for the recycling of City scrap metal and that City employees are forbidden from accepting cash payments from vendors. While a Road Maintenance supervisor ultimately turned the cash over to the City’s purchasing agent, the client expressed concern that this might be a common practice among City employees and the client directed Kroll to assess the extent to which other metal may have been diverted and sold for cash.

Kroll met with members of the Board of Finance familiar with the City’s scrap metal disposal practices. These members suspected that large quantities of City scrap metal were being diverted and sold for cash and that the proceeds from these transactions were not being returned to the City. The Board of Finance identified several confidential informants who, when interviewed by Kroll, alleged widespread theft of scrap metal by employees of the City’s Office of Operations. Based on information provided by these informants, Kroll also conducted a limited review of email messages provided by the City from the City email accounts of three employees suspected to have been involved in the diversion.

To assess the extent of the possible diversion, and to firmly identify employees who might be involved, Kroll worked with the City’s Internal Audit and OPM Management Analyst to identify and review information pertaining to the disposal and sale of scrap metal by the City. These materials included, but were not limited to, City accounting records, contracting records, transfer station records, employee directories, motor vehicle rosters, employee ID photos, and fuel account logs. To maintain the confidentiality of the investigation, certain documents and records maintained within individual departments were not reviewed because retrieving those materials would have increased the risk of alerting possible subjects to the nature and scope of the inquiry. Kroll’s review was therefore limited to those documents which could be obtained remotely or retrieved discreetly, pursuant to the City’s direction and authorization.

Kroll also reviewed records produced by two scrap metal vendors with whom the City has done business: Rubino Brothers Inc. (“Rubino”) and LaJoie’s Auto & Scrap Recycling (“LaJoie’s”). Based on information

provided by the client and developed in the course of the investigation, Kroll requested specific documentation from Rubino and LaJoie's. Absent subpoena power or a court order, Kroll relied on these companies' voluntary cooperation to review their internal records and produce to Kroll documents which were responsive to Kroll's request. As such, Kroll's findings are only as accurate as the information provided to Kroll by these third parties.

Throughout the investigation, Kroll provided oral updates to the Board of Finance and City administrators and conferred with the City as to the nature and scope of additional investigative actions. Kroll's investigation identified several City employees suspected of having accepted cash payments for City metals. At the client's direction, Kroll did not interview any of these employees. As requested by the client, Kroll provided oral briefings and underlying documentation to the Connecticut State's Attorney and to the Stamford Police Department so that law enforcement could determine whether further investigation was warranted and whether the activities uncovered amounted to criminal actions.

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Executive Summary

Confidential Informants

At the outset of its investigation, Kroll interviewed three confidential informants identified by the client. Each informant alleged, generally, that Operations employees were selling City scrap metal for cash and using the proceeds to fund parties and to pay for food or golf outings. The informants alleged that supervisors were aware of this practice and either condoned or ignored it. None of the informants claimed to have witnessed the theft of metal first hand nor could any of the informants provide direct evidence of scrap metal diversion.

Email Review

Based on information provided by these informants, Kroll conducted a targeted review of City email accounts belonging to employees alleged to have been involved in the diversion of metals. At the client's direction, and to conserve resources, this review was limited to three employees and a period of one year. While this limited review did not identify any direct evidence of a scrap metal diversion scheme, email communications suggested that the City's policies with regard to scrap metal disposal may not have been clearly defined or clearly communicated to all City employees.

Rubino Brothers

Documents provided by the client indicate that in November 2007, the City entered into an agreement with Rubino Brothers, pursuant to which Rubino agreed to purchase scrap metal from the City at specified rates for a period of three years. The client informed Kroll that all contracts are, by default, exclusive. Prior to November 2007, it is not clear if the City had a formal citywide contract for the disposal of scrap metal. Records reviewed by Kroll reflect that from 2002 to 2010, the City transfer station routinely sent loads of scrap metal to Rubino Brothers. Records reflect that between late 2005 and the signing of the Rubino contract in 2007, the City also sent scrap metal to LaJoie's Auto and Scrap Recycling in Norwalk. Both Rubino and LaJoie's paid the City by check.

As part of its investigation, Kroll sought to reconcile the City's revenue records with payment records provided by Rubino Brothers and LaJoie's. With respect to Rubino Brothers, records reflected that in FY2008 through the first half of FY2011, the company paid the City of Stamford more money than the City

recognized as revenue in its metals recycling account. Preliminary investigation suggested that the discrepancy might be the result of cash payments. When interviewed by Kroll, Rubino principals claimed never to have made any cash payments for City scrap metal. However, when confronted with evidence from the company's own records, a Rubino principal admitted to having routinely paid cash to City employees for small amounts of City scrap metal. Rubino then provided additional records which reflected cash payments booked to the City of Stamford. As detailed in the sections that follow, Kroll's investigation determined that between 2006 and 2010, Rubino Brothers made at least 209 cash payments for metals that Rubino records reflect were purchased from the City of Stamford. These payments totaled approximately \$16,472. With the exception of six payments turned over to City administrators in April 2010, City revenue records reviewed by Kroll do not reflect receipt of any cash payments from Rubino Brothers.

Kroll requested Rubino Brothers surveillance images captured during the 209 transactions under review. Rubino reported that due to system malfunctions, no images were captured or preserved for 62 of the transactions. Review of images provided for the remaining transactions revealed that images from 55 were blank or completely obscured. Images from an additional 51 transactions were partially obscured and of little value. Images of varying quality and evidentiary value were captured of vehicles and/or drivers involved in the remaining 41 transactions totaling approximately \$5,000.

Comparison with City vehicle rosters and fuel records found that the vehicles involved in at least 35 of these transactions were most likely operated by employees of the Road Maintenance Department, Parks Maintenance Department, and the Board of Education. Kroll's review identified 14 City employees suspected of having delivered metal to Rubino Brothers and having received cash payments in return. Of these 14 employees, Kroll identified strong corroborative evidence implicating six employees across all three departments. Evidence implicating the remaining eight employees is more circumstantial.

Based on information provided by confidential informants and the client, Kroll also submitted a list of 61 City employees to Rubino Brothers and asked that Rubino records be checked for any transactions involving these employees individually. Rubino Brothers identified records of transactions with five individuals whose names match those of employees of the Road and Traffic Maintenance department. Kroll requested that Rubino Brothers produce surveillance images from each of these transactions but, to date, has received no response. Absent surveillance images, it is unknown whether these transactions involved City vehicles and/or City metal.

LaJoie's Auto and Scrap Recycling

City records reflect that in the two years prior to the commencement of the November 2007 contract with Rubino Brothers, the City transfer station routinely sent scrap metal both to Rubino Brothers and to LaJoie's. However, prior to September 2007, the City's general ledger for metals revenue lists only aggregate payments from these vendors and does not distinguish between payments from Rubino and payments from LaJoie's.

In September, November, and December 2007, City revenue records reflect that three payments were received from LaJoie's, each by check, totaling approximately \$4,096. City records detail only one additional check from LaJoie's, for \$10.04, received in November 2008. Records produced by LaJoie's indicate that these were the only payments made to the City of Stamford during this period.

While records reviewed by Kroll did not allow for a detailed reconciliation of City revenue to LaJoie's records for the period prior to September 2007, at Kroll's request, LaJoie's conducted a search of company

records for any cash transactions involving the City of Stamford or any individuals on a list of City employees provided by Kroll.

LaJoie's identified records of 14 transactions involving five individuals whose names match those of employees of the City Transfer Station and two whose names match those of employees of the Road Maintenance department. No surveillance footage is available for these transactions nor do LaJoie's records indicate whether the vehicle or metals involved in each transaction belonged to the City.

LaJoie's reported that a manual search of scale tickets on hand at their facility did not identify any additional cash transactions involving the City of Stamford.

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Confidential Informants

At the outset of its investigation, Kroll interviewed three confidential informants identified by the client. Each informant alleged, generally, that City employees were selling City scrap metal for cash and that the proceeds from these sales were being used to pay for food and Christmas parties and golf outings for City employees. The informants alleged that supervisors were aware of this practice and either condoned or ignored it. None of the informants claimed to have witnessed the theft of metal nor could any of the informants provide direct evidence of scrap metal diversion.

Confidential Informant One

Confidential Informant One (“CI-1”) was interviewed in June 2010. During the interview, CI-1 related the following:

CI-1 stated that City of Stamford Director of Operations Ernie Orgera is “running metals” in Stamford and that proceeds from the sale of metals are being used to fund an account to pay for food and parties for City employees. CI-1 named several operations employees who CI-1 claimed knew about or were somehow involved in the scheme. CI-1 did not provide any direct evidence of theft or diversion and much of the information provided was reportedly obtained second hand.

CI-1 also stated that there is an Operations Employees Activities Fund, which is funded by golf outings at which vendors are solicited to sponsor holes. CI-1 named several employees who had reportedly performed administrative duties for the fund on City time.

Confidential Informant Two

Confidential Informant Two (“CI-2”) was interviewed in July 2010. During the interview, CI-2 related the following:

Within the City Highway, Solid Waste, and Vehicle Maintenance departments there exists a clique of City employees including:

- Benjamin Barnes

- Alex Tergis
- Douglas Arndt
- Michael Scacco
- Robert Gerber (retired)
- Dan Colleluori

These individuals “junk what they want to junk” and are responsible for the removal of metals from Highway yards and taking those metals to LaJoie’s for recycling and cash. Bob Gerber (“Gerber”) retired from the City four to five years ago. His wife, Tanya, works in the Human Resources Department. Gerber is good friends with Richard Valentine (“Valentine”), a shopkeeper and Small Engine Mechanic. Valentine is the main person filling dumpsters with the metals that are taken to LaJoie’s.

Peter Iannaccone (Highway Supervisor) knows of the practice and condones it.¹ Ernie Ogera is aware of what is going on with the Highway metals as well but does not participate in it.

CI-2 stated that the City has a policy with regard to the recycling of metals which is common knowledge but may not be a written policy. All metals from the City are supposed to go to the recycling center located across from the City transfer station. There are roll-off containers set up there for City metals as well as for residential metals to be recycled. When a roll-off container fills up, a City truck removes the container to Rubino Brothers. CI-2 was not sure whether Rubino has a blanket agreement to handle all of the City’s recycling, or if Rubino had an agreement for a specific project. If it was for a specific project, CI-2 was not sure if the agreement was renewed to include all of the City’s metals.

The roll-off truck, with container attached, weighs out at the City Transfer station scale. The truck then proceeds to Rubino where it is weighed as it enters. After dropping off its load of metals to be recycled, the truck weighs out at Rubino and exits the facility. Prior to leaving, but after being weighed out, the driver of the truck is given a scale ticket. The truck then proceeds to the transfer station where it is weighed again empty.

CI-2 stated that the recycling center has taken “a couple” of loads of metals to LaJoie’s in the past due to LaJoie’s paying higher prices on recycled metals. CI-2 stated that this was okay because Recycling can do what they want with recyclables.

CI-2 recalled seeing a dumpster loaded with snow plow blades which Richard Valentine and Paul Kopek took to LaJoie’s in City vehicles.² CI-2 also recalled seeing barrels and piles of scrap metal at Highway locations, including manhole covers, tire rims and broken machines. All of this was old material.

¹ CI-2 identified this individual as Dominick Iannaccone. City records do not identify an employee by this name. Peter Iannaccone is a supervisor in Road Maintenance.

² Documents provided by the client confirm that on April 8, 2010, Valentine and Kopek delivered approximately 24,000 pounds of scrap metal from Highway yards to LaJoie’s and were paid in cash. Following the incident, the City filed a criminal complaint which was then investigated by the Stamford Police Department.

CI-2 reported that Bob Gerber's brother runs Gerber Landscaping and took two City snow plows for his own use. CI-2 also reported that Gerber Landscaping was hired by the City to plow snow. Gerber Landscaping was said to have accessed road salt, which was property of the City. It is unknown where this road salt was used.

In the spring of 2010, CI-2 had a conversation with a City highway supervisor regarding a dumpster full of scrap metal and old, cut-up snow plows that was sent for recycling. The supervisor stated that "the money goes to the picnic." CI-2 first heard of this practice in 2006 from Tom Johnson³ and learned that this occurs with 2-3 dumpsters of metals per year. CI-2 also stated that employees who attend the picnic are expected to pay \$10.

CI-2 heard that metal taken to Rubino for recycling is paid out on a card that can be swiped and redeemed for cash at a machine located at the Rubino facility. There is said to be no control of who has access to that card and who uses it.

East Coast Garage has an exclusive towing contract with the City. They also perform mechanical work on City vehicles and the work is said to be shoddy. A fire department vehicle was sent to Rubino to be scrapped and it ended up in the possession of East Coast.

Confidential Informant Three

Confidential Informant Three (CI-3) was interviewed in July 2010. During the interview CI-3 stated the following:

CI-3 recalled seeing piles of old storm grates and drains at the old City garage. One day they were there and the next day they were not. CI-3 never saw anyone take the scrap material. Old snow plows formerly present in highway yards were gone. Equipment trailers were missing and CI-3 had no idea where they went. Old plows, regardless of condition, should not be junked. They should be sold at auction. The same holds true for old City vehicles.

There is a group of City workers who are together in this:

- Richard Valentine
- Peter Iannaccone
- Doug Hoyt
- Ernie Orgera

CI-3 stated that this practice has been going on for a long time, not as an organized scheme, but as the opportunity arises.

Proceeds from the removal and sale of scrap metal were used to fund parties in the summer months. At these parties, a \$10 "cover" fee was charged, but the parties included food and beverages above and beyond what

³ Kroll did not identify a City employee by this name. City records list a Todd Johnson Sr. who is a Heavy Equipment Operator in the Road Maintenance department.

the \$10 fee would cover. There was also a “50/50” drawing at these parties. At one of these parties, Bob Gerber directed CI-3 to collect the \$10 fee from City employees.

Gerber Landscaping and others took City plows and salt during the winter months. These may have been used for non-City work.

After the snow plow incident in April 2010, and subsequent police investigation, the volume of recyclable metals brought to the transfer station increased. Street lights and street signs were not formerly seen at the transfer station but were now being brought in.

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Email Review

Based on information provided by confidential informants, Kroll conducted a limited review of email messages provided by the City from the City email accounts of three employees suspected to have been involved in the diversion of metals. At the client's direction, and to conserve resources, this review was limited to three employees, Road Maintenance Mechanic Richard Valentine, Road Maintenance Supervisor Douglas Hoyt, and Director of Operations Ernie Orgera. The client provided Kroll archived emails for these individuals from approximately August 2009 to August 2010.

Limited Review Finds No Direct Evidence of Scrap Metal Diversion

Kroll conducted targeted keyword searches for terms related to scrap metal and the two City vendors. Kroll's review determined that Valentine had not used his Stamford email account during the period for which files were provided. Keyword searches across Orgera's and Hoyt's email revealed no direct evidence of their involvement in a scrap metal diversion scheme during the timeframe for which email was provided. Kroll notes that Hoyt's email communications appear to be primarily with other supervisors and City managers, not his direct reports. Orgera does not appear to use his City of Stamford email for personal communications and his limited reply activity suggests that he may handle issues over the phone or in person as opposed to responding to emails.

Uncertainty Regarding Scrap Metal Policies

Kroll notes that on April 9, 2010, the day after Valentine delivered a load of snow plows to LaJoie's, City Purchasing Agent Peter Privitera emailed Orgera, directing him to alert his staff and supervisors that surplus equipment could only be disposed of by the Purchasing Agent and that "for scrap metals, the City does have a contract with Rubino Brothers."

It appears that Orgera met with Joseph Tarzia on April 16, 2010, and that later that day Lorraine Gilden sent Orgera a request on Tarzia's behalf. Gilden requested that Orgera "provide documentation on [his] department's policy & procedures for disposal of scrap metals including any memos notifying Operations Supervisors [*sic*] of this policy." Orgera responded that he did not "see any police [*sic*] or procedure regarding disposal of scrap metals," and that he was "in the process of writing the policy and will confer with the Law Dept. and Administration." Three days later Gilden emailed Orgera referencing the 2007 contract with

Rubino Brothers and asked whether he had notified employees of the agreement. Orgera does not appear to have responded directly to the email and Kroll found no evidence of Orgera's having conceded that such a policy existed (in the email reviewed to date).

Notably, on April 21, 2010, Solid Waste Supervisor Dan Colleluori sent Orgera a word document entitled "Scavenger policy," which is dated June 6, 2008 and addressed to "Solid Waste employees." The memo states the following, in part:

Reuse and recycling of materials that come into our Transfer Station and Recycling Centers is encouraged. Scavenging of materials for re-sale is against the Law and the City DEP permit. NO items the City (metal, copper, brass, etc) resells can be taken unless is desired for personal use, such as a bicycle or lawn mower, etc. You may take it with your Operations Supervisors permission.

Any item taken for resale or for scrap value will be considered stealing from the City and handled accordingly.

If something comes in that you or someone else might be interested in, set it aside, taking as little work time as possible. After the end of your work day discuss it with your Supervisor. Please do not use work hours for that purpose, and do not hold up normal operations.

On May 27, 2010, Colleluori emailed Orgera to inform him that Colleluori had just arranged for Rubino Brothers to provide two dumpsters for placement at the Transfer Station and the Mygatt recycling center. Rubino agreed to then pick up the dumpsters when they became full of metal and to sort the contents at the Rubino facility. Colleluori went on to write that "historically this has always been a 'friendly' citizen accommodating program by allowing residents when they see items in tubs they can just pick out for themselves what they need." He suggested that 'no scavenging from tubs' signs be installed in each location, but that "we can instruct staff to continue their process of when they see metal items such as bicycle they can still leave them outside tubs for residents to pick up." Orgera does not appear to have responded to Colleluori's email but on June 23, 2010, Colleluori wrote to Orgera that "we installed 'no scavenging signs' at the Mygatt recycling center at the metal dumpster and at the pallet we set up for car/boat batteries."

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Rubino Brothers

As detailed in the sections that follow, Kroll's investigation determined that between 2006 and 2010, Rubino Brothers made at least 209 cash payments for metal that company records reflect was purchased from the City of Stamford. These payments totaled approximately \$16,472. Interviews of Rubino Brothers principals confirmed that cash payments were made to City employees. Review of surveillance footage revealed that among the metals sold to Rubino Brothers were street signs, street lights, and various building materials. Analysis of City vehicle rosters and fuel records found that the vehicles involved in at least 35 of these transactions were most likely operated by employees of the Road Maintenance Department, Parks Maintenance Department, and the Board of Education.

Following the snow plow incident in April 2010, and after an official complaint was filed with the Stamford Police Department, two City employees submitted approximately \$1600 in cash proceeds from six Rubino transactions directly to the Department of Finance. Apart from these funds, City accounting records reviewed by Kroll do not reflect receipt of cash payments from any of the remaining 203 transactions identified.

Metals Contracts with Rubino Brothers

A search of the City's contracts database in August 2010 reflected that the only active City contract for the disposal of scrap metals was "Misc#60" awarded to Rubino Brothers in November 2007. The system indicated that the contract was to commence on November 13, 2007 and terminate on November 12, 2010. The contract is described as "Award of Scrap Metal" and the Activity Name field specifies "Administration."

Prior to this, the system reflects an inactive contract with Rubino for "Disposal of Obsolete Vehicles and Equipment" commencing on February 10, 2006 with no termination date specified. The system also lists two contracts with Rubino commencing in 1991 and 1992 described as "Scrap Metal – Public Works" and "Scrap Metal Procurement," respectively.⁴ The activity name for these contracts is identified as Facilities Management. No termination dates are specified.

⁴ Contract IDs S-4534 and S4552.

Based on records reviewed by Kroll, it is not clear how long the 1991 and 1992 contracts lasted and whether, between that time and 2006, the City had an official contract or agreement with any particular vendor for the sale of scrap metal.⁵⁶

From 2002 to 2007, City records reflect between \$12,000 and \$57,000 per year in revenue from the sale of scrap metal, all of which appears to have been collected by check. City records reviewed by Kroll indicate that from 2002 to 2005, Rubino Brothers was the primary, if not the only vendor from which the City received payments for scrap metal.⁷ Based on available records, it appears that from December 2005 through December 2007, the City received payments for scrap metal both from Rubino Brothers and from LaJoie's.

In August 2010, Peter Privitera, who serves as Director of the City's Office of Policy and Management and as the City's Purchasing Agent, reported the following with regard to scrap metal contracts prior to 2007:

"All I can tell you is that when I took over after Bob [prior purchasing agent] retired [FY2007-FY2008],⁸ I was asked by [Vehicle Maintenance Manager] Mike Scacco what process we used to dispose of scrap metals. At that point, I could not identify the existence of any contract so, I put a bid together which was ultimately awarded to Rubino Brothers. Prior to that, I do not know how Bob R. handled it."⁹

Among the documents reviewed by Kroll was a memorandum from Privitera to Alex Tergis, Bureau Chief, on October 15, 2007, which stated the following:

We contacted three vendors to submit proposals for the purchasing of the scrap metal down at the Fleet Maintenance Garage. We heard back from two of the three vendors. I have attached copies of the proposals submitted to us by these vendors. We would like to award this contract to Rubino Brothers, Inc. Could you please process a contract for them and advise me as to when we may contact them?¹⁰

Along with the memorandum, Kroll was provided a September 17, 2007 letter from Rocky Possidento of Rubino Brothers to JoAnn Murphy which states, "I visited the City of Stamford Maintenance Garage and met with Mike Rielly (*sic*), who showed me the surplus equipment you would like to scrap. Base[d] on the items

⁵ The contracts database lists four contracts with Rubino for the disposal of abandoned cars commencing in 1991, 1992, 1993, and 1994. The activity name for each contract is "Police Department Wide."

⁶ The system also lists an RFP#026 for the Sale of Scrap Metal which, according to a May 25, 2010 email from Leon DiMartino to Joseph Tarzia, may have been from 1997. However, the system reflects no commencement or termination date for this contract and the files pertaining to it appear to have been destroyed as per City document retention procedures.

⁷ Prior to September 2007, City revenue records provided to Kroll do not differentiate between payments received from Rubino Brothers and payments received from LaJoie's. Report of Collections forms submitted by the Department of Sanitation during this period reflect that from July 2002 to October 2005, all but one of the payments collected was received from Rubino Brothers. The form pertaining to the one remaining payment did not specify the vendor from which it was received. Notes on Report of Collections forms submitted between December 2005 and August 2007 indicate that metals were sold to both Rubino and LaJoie's but specify only the total amount of payments received from both vendors during a given period.

⁸ Email from Agnes Cawai to Kroll – August 9, 2010.

⁹ Email from Peter Privitera to Agnes Cawai – August 9, 2010.

¹⁰ Copy of Memo provided to Kroll by Board of Finance appears to have been emailed to Joseph Tarzia by Leon DiMartino on May 25, 2010. The copy of this memo provided to Kroll does not include the second proposal referenced in the memo.

observed, I have prepared the following proposal for you[r] review.” The letter then specifies prices per ton for the following metals:

- Refuse Packer Bodies (Delivered)
- Snow Plows (Picked Up)
- Misc. Steel (Picked up or delivered)
- Vehicles (Passenger or light truck)(Picked up)

On November 13, 2007, the City entered into an agreement with Rubino Brothers, pursuant to which Rubino agreed to purchase scrap metal from the City at specified rates for a period of three years.¹¹ The agreement specifies the same prices and types of metal listed in Possidento’s letter. The agreement does not specify the means by which the City would receive payment for the metal.

Revenue records reflect that after the agreement was signed, the City recognized one additional payment from LaJoie’s for scrap metal received on December 10, 2007. For the following three years, all but one of the payments received and deposited to the City scrap metal account came from Rubino Brothers.

Records Reflect that Rubino Paid Out more than City Received

Revenue from the sale of scrap metal to Rubino Brothers and LaJoie’s is reflected in the City’s general ledger under the Recycling-Mixed Metals account XXXXXXXXXXXX1022. Kroll reviewed detailed records of deposits to this account for FY2008 through the first half of FY2011 (December 2010).¹² Kroll then reconciled these records to statements provided by Rubino Brothers listing all scale tickets booked to the City of Stamford during this period.

In reviewing Rubino Brothers records, Kroll noted that in 2008, 2009, and 2010, Rubino reported having paid the City thousands of dollars more than the City recorded as revenue from Rubino. A detailed reconciliation of Rubino scale tickets to the Rubino check register identified a number of tickets each year which were booked to the City of Stamford but which were not included in the list of transactions Rubino paid by check. In a given year, the aggregate amount of these transactions was equal to the discrepancy between what Rubino Brothers claimed to have paid the City and what the City accounted for in its records:

¹¹ Misc. Agreement No. 60, dated November 13, 2007.

¹² Prior to September 2007, the City’s general ledger does not distinguish between revenue from Rubino Brothers and revenue from LaJoie’s.

Rubino Payments Booked to City				City Revenue
Fiscal Year	Total	Paid by Check	Not Paid by Check	Accounted for in City Recycling Acct
2006	8,964	8,652	313	Unknown ¹³
2007	35,760	34,601	1,158	Unknown
2008	71,454	67,612	3,842	67,612 ¹⁴
2009	29,113	25,492	3,622	25,492
2010	53,850	46,545	7,305	46,545 ¹⁵
2011 (06/10 to 12/10)	50,014	49,591 ¹⁶	423 ¹⁷	49,490
Grand Total	\$249,155	\$232,493	\$16,662	\$189,139

Employees Submit Rubino Cash Payments to City in April 2010

In the weeks following the LaJoie's snow plow incident, two additional City employees submitted to the Department of Finance cash proceeds from the sale of scrap metal. In both cases, scrap metal was sold to Rubino Brothers under a City of Stamford customer ID and the tickets were paid in cash.

The employees who submitted these payments should be interviewed to understand the circumstances under which the payments were received.

¹³ In FY2006 and FY2007, City records reviewed by Kroll do not distinguish between revenue from Rubino Brothers and revenue from LaJoie's.

¹⁴ The City provided Kroll with underlying documentation for FY2008 which demonstrated that \$3,241.60 in checks from Rubino Brothers were included in the general metals category, prior to segregation of accounting for Rubino Brothers and LaJoie's revenue. When added to the total Rubino revenue accounted for in FY2008, this amount brings the recognized revenue in line with what Rubino Brothers records show was paid to the City by check.

¹⁵ Investigation later revealed that in April 2010, employees of the Traffic Engineering and Parks Maintenance Department submitted \$1613.30 in cash payments received from Rubino Brothers. These funds were deposited into the City's Sale of Surplus Property account XXXXXXXXXXXX1002, which is usually reserved for property sold at auction. Inclusive of these payments, total revenues recognized for metal sold to Rubino Brothers, in the accounts reviewed by Kroll for FY2010 equaled \$48,158.

¹⁶ Includes checks 44417 & 44376 for \$75 and \$26.20, respectively, totaling \$101.20 which were issued directly to BOE. Rubino Brothers provided evidence that these checks were cashed by BOE but they do not appear to be accounted for in City revenue records. Recognized revenue in the City metals account for the first half of FY2011 is \$101 less than what Rubino records reflect was paid by check.

¹⁷ Includes Ticket 268430 for \$190.35 booked to City of Stamford – BOE vendor account on 11/24/2010. To date, this ticket has not been accounted for in the Rubino check register, suggesting that it was paid in cash. Kroll requested additional documentation from Rubino Brothers regarding this payment but as of the date of this report has not received it. It is reported here as it was not paid by check. It is not reported in the total of cash payments later in this report as it is not yet known whether it was in fact paid in cash.

Parks Maintenance Employee Submits \$853.30 in Cash

A City of Stamford Report of Collections dated April 22, 2010, indicates that a Parks Maintenance employee turned in \$853.30 to the Department of Finance for “Sale of Surplus Property – Disposal of 55 gallon barrels from behind Cove Island Barn.” The form appears to be signed by a Joseph Barbretto but no employee by this or a similar name was identified in City employee rosters reviewed by Kroll.

Attached to the report are three Rubino Brothers Scale Purchase Tickets dated April 16, 2010 and two Rubino Brothers payment receipts dated January 12, 2010. The scale purchase tickets reflect the sale of 5220 pounds of Light Iron and #1 Steel for a total of \$582.70. The payment receipts reflect the sale of 288 pounds of Old Sheet for \$115.20 and 2320 pounds of #1 Steel for \$155.40.

The payment receipts reflect that the January 12, 2010 transactions were paid in cash. Rubino Brothers records subsequently confirmed that all five transactions were paid in cash.

The funds were deposited into the City account for the sale of surplus property, which is separate from the account into which payments for scrap metal are generally deposited.

Traffic Engineering Signal Department Employee Submits \$760 in Cash

A City of Stamford Report of Collections dated April 29, 2010 reflects that an Engineering employee submitted \$760 in cash to the Department of Finance for the sale of surplus property. The form appears to have been signed by Crystal D. Mitchell, an office support specialist in the Traffic Engineering department. Attached to the form is an April 16, 2010 Rubino Brothers payment receipt for the sale of 1520 pounds of “Ins Cu 35%” for a total of \$760 paid by EZCash. The receipt lists the customer as City of Stamford Bureau of Sanitation. The funds were deposited to the City’s Sale of Surplus Property Account.

Rubino Denies then Confirms Cash Payments to City Employees**Conversations with Stamford Personnel**

On August 6, 2010, Agnes Cawai spoke with a contact at Rubino Brothers regarding outstanding document requests. During that call the contact informed Cawai that “they don’t pay in cash.”¹⁸

August 11, 2010 Phone Interview

On August 11, 2010, Kroll investigators contacted Frank Rubino by telephone to review a list of documents Kroll had requested from Rubino Brothers and intended to pick up the following day. During the course of the call, Frank Rubino related the following:

Frank stated that Rubino Brothers pays the City of Stamford for metal purchases from the City only by check. All payments to the City for metal purchases can be found by reviewing the check registers from Rubino’s purchasing system & Quickbooks.

The investigators expressed to Frank that certain ticket numbers found on the Rubino Brother’s comprehensive ticket report for metal purchased from the City of Stamford did not appear to have been

¹⁸ Email from Agnes Cawai to Kroll – August 6, 2010.

included in records of checks issued by Rubino Brothers and received by the City. Frank offered to look up one such ticket during the phone call. Kroll provided ticket number 217136 which was created on July 7, 2009. Frank stated that he could not find any check that included this ticket number, although the ticket was listed as "paid" in Rubino's purchasing system. Frank asked for a few minutes to look into the matter.

When Frank called Kroll back on the same date, he stated that ticket #217136 was paid in cash according to a report he was able to run from the system. The report identified a number of other tickets that were also paid in cash. Frank then explained that at times City employees come to Rubino Brothers and request to be paid in cash. Frank stated that the amounts are typically small and Rubino Brothers expects that the cash will be forwarded to the City.

Frank stated that Rubino documents these transactions as purchases from the City of Stamford because either the persons delivering the metal identify themselves as City employees by showing their City identification cards, or it is deduced from the truck used to deliver the metal that it came from the City. Frank stated that Rubino does not record the names of City employees or truck drivers or any other identifying information for the individuals who deliver the metal.

Frank mentioned that the persons selling such metal come from various departments of the City such as the Board of Education. He did not name any other departments specifically.

Frank also mentioned that the deliveries of metal that are paid in cash are sometimes effected in pick-up trucks and other vehicles that are not typically used to deliver scrap metal from the Transfer Station by the City. It was not clear whether these were privately owned vehicles or vehicles owned by various City Departments. Rubino Brothers does not record the license plate or other identifying information of the vehicles.

Frank stated that Rubino Brothers enters each truck load of metal into the system and produces an electronic scale ticket which records the source of the metal and net weight of the metal delivered. This scale ticket is given to the driver of the truck, however Rubino Brothers does not require that the driver sign the ticket, nor does the company keep a copy of the signed ticket. Rubino Brothers is able to print a copy of each ticket from their system. Kroll reviewed a number of these scale tickets obtained from the City Transfer Station stemming from sales of scrap metal paid to the City by check. These tickets are typically signed by the driver before the City processes it.

According to Frank, the scale ticket does not record the time of delivery; however a review of a number of scale tickets obtained from the City Transfer Station which came from the Rubino Brothers' purchasing system show that there is a time stamp on the ticket.

According to Frank, his company does not produce anything except for the scale ticket, which includes a signature line for the truck driver, and he did not acknowledge the existence of a "Scale Purchase Ticket."

Kroll reviewed a number of these purchase tickets attached to Rubino scale tickets, which were obtained from the City Transfer Station. The purchase tickets appear to be produced by the Rubino Brothers' system, and specify the type of metal purchased, the weight, date, and time of the delivery. The purchase tickets also include a signature line for the customer to certify that they have the right to possess the metal sold and have been paid in full. It does not appear that Rubino Brothers maintains copies of these signed tickets.

August 12, 2011 Site Visit and Interview

Kroll investigators visited Rubino Brothers on August 12, 2010 and interviewed Frank Rubino.

When questioned by the investigators, Rubino acknowledged that Rubino Brothers may have paid cash to Stamford employees on rare occasions but that the aggregate amounts were likely nominal. He speculated that these may have involved very small amounts of scrap metal, such as pieces of fencing or half of a light pole. When investigators showed Rubino documents reflecting a pattern of cash payments to City employees over a period of years, he said he was surprised. When asked why some payments for similar loads of metal were paid in cash while others were paid by check, Rubino could offer no explanation.

Rubino described the following process for cash transactions: after a load is weighed, a purchase ticket is generated, and an ATM card is created reflecting the amount of the value of the load. The payee then uses an onsite cash machine to retrieve the cash using the ATM card. Rubino stated that the information contained in the ATM machine is automatically purged on a regular basis.

When asked by investigators, Rubino acknowledged that there are internal video cameras throughout the premises and a camera in the ATM. He was not sure how long the system retained the images, possibly 30 days. He also stated that the camera located by the weigh station should capture vehicle information.

Rubino acknowledged that when Stamford vehicles drop off metals, documentation is not collected related to truck numbers or driver identification. If a private vehicle were to drop off a load, the ID of the driver would be checked. Rubino stated that the only document generated by Rubino Brothers for a specific transaction is the Scale Purchase Ticket. When asked, he stated that there is no way to go back retroactively to track a specific transaction through the Purchase tickets, as they just throw them in a box. Rubino stated that he could not provide scale purchase tickets relating to individual transactions because there are too many tickets, they are not maintained in any particular order, and it would be almost impossible to find the tickets relating to a specific transaction.

Relative to the Purchase Tickets, Rubino was shown a copy of one of his tickets which the payee did not sign. In reviewing other tickets, none of the Purchase Tickets had payee signatures. When asked directly why signatures were not required for cash transactions, particularly as it would protect Rubino Brothers against potential claims of nonpayment by the City, Rubino could offer no explanation. He simply stated that his company had never received such an inquiry from the City or received such a complaint. He maintained that Rubino Brothers had done nothing wrong but that he believed city employees had improperly diverted city metals to other vendors. When asked if he could provide specifics he could not but speculated that some employees were improperly taking metals to LaJoie's.

During his interview, Rubino stated that Stamford has a contract with his company requiring City employees to deliver metals for recycling to Rubino Brothers. He told investigators that in some cases City employees were improperly driving roll-off containers to LaJoie's for cash. He added that LaJoie's was recently caught paying a Stamford employee \$3,000 in cash.

At Kroll's request, Rubino agreed to check the digital video system as well as the ATM camera starting with the last cash transaction in April, and then going back a year from that date to recover any video/photos that may have captured cash transactions to City employees. He also agreed to retrieve any Purchase tickets related to cash transactions to City employees.

Analysis of Rubino Records Identifies 209 Cash Payments

Following Frank Rubino's admission to Kroll that Rubino Brothers had made cash payments to City employees, Rubino Brothers turned over additional records which detailed all payments, both by check and in cash, booked to City of Stamford vendor accounts. These records confirmed that the payments not included in checks to the City were paid in cash or ATM credits.¹⁹ Kroll identified 209 payments stemming from 214 individual scale tickets, which Rubino records reflect were made in cash to the City of Stamford between December 2005 and August 2010.^{20,21} The transactions totaled approximately \$16,472.²² To date, only those cash payments submitted to the Department of Finance in April 2010 have been accounted for in City revenue records reviewed by Kroll.^{23,24,25}

FISCAL YEAR	NO. TICKETS PAID IN CASH	TOTAL VALUE
2006	4	312
2007	18	1158
2008	37	3841

¹⁹ Rubino records list these tickets as having been paid by "Cash", "ATM", or "EZCash". It appears that "ATM" and "EZCash" payments were made using credits given to drivers on an ATM card which were then redeemed at an ATM machine on site. Kroll's analysis of surveillance footage revealed that the ATM machine did not capture any images of transactions marked in Rubino records as having been paid by "Cash". This suggests that these payments were, in fact, made directly to the drivers in cash. For simplicity, all payments paid by "Cash", "ATM", or "EZCash" are referred to in this report as cash payments unless otherwise noted.

²⁰ Kroll identified an additional ticket #268430 for \$190.35 on November 4, 2010 which is not accounted for in any of the check payments reviewed to date. Additional information from Rubino Brothers is required to determine if this was paid in cash.

²¹ This does NOT include Ticket 268430 for \$190.35 booked to City of Stamford – BOE vendor account on 11/24/2010. To date, this ticket has not been accounted for in the Rubino check register, suggesting that it was paid in cash, but it is not marked as a cash payment in Rubino records. Kroll requested additional documentation from Rubino Brothers regarding this payment but as of the date of this report has not received it.

²² As noted above, this amount does NOT include Ticket 268430 for \$190.35 booked to City of Stamford – BOE. As such, this amount is \$190 less than the total amount in "not paid by check" column of the Rubino Payments Booked to City table.

²³ Payments submitted by a Parks Maintenance employee on April 22, 2010 resulted from scale tickets 244312, 244250, 244278, 234867, and 234868. These payments were deposited to the Surplus Property Account, not the Recycled Metals Account.

²⁴ Kroll's analysis of City revenue from the sale of scrap metal was limited to accounts XXXXXXXXXXXX1022 and XXXXXXXXXXXX1022, which are for revenue from Metal Recycling and the Sale of Surplus Property, respectively. Efforts were made, with the help of City personnel, to identify additional accounts to which revenue from the sale of scrap metal could have been deposited. However, absent a detailed review of every City account, it cannot be stated definitively that no other cash proceeds from the sale of scrap metal were received by the City.

²⁵ At least 12 of these cash payments appear to have gone to BOE personnel and are not accounted for in City revenue records for accounts XXXXXXXXXXXX1022 and XXXXXXXXXXXX1022. Kroll notes that two transactions booked by Rubino Brothers to BOE in August 2010 were paid by check but are not reflected in these accounts either. Rubino records reflect that Check 44417 for \$75.00 stemming from Ticket 259895 and Check 44376 for \$26.20 stemming from Ticket 258804 were issued directly to BOE and were deposited in September 2010. Check images provided by Rubino Brothers reflect that the checks were endorsed with a stamp reading "For Deposit Only City of Stamford Board of Education." The account number is not legible in check images. Notably, every Rubino transaction booked to BOE prior to August 19, 2010 appears to have been paid in cash. Kroll's investigators visited Rubino Brothers on August 12, 2010. A detailed review of BOE accounts should be performed to verify whether any of the cash payments under review in this investigation were received by BOE and deposited to an account other than the City's designated accounts for recycled metal.

FISCAL YEAR	NO. TICKETS PAID IN CASH	TOTAL VALUE
2009	65	3621
2010	86	7305
2011 (06/2010 – 12/2010)	4	232
Grand Total	214²⁶	\$16,472

Kroll's analysis, discussed in detail below, identified 14 City employees suspected of involvement in approximately 45 of these transactions. Identifications are particularly strong for six of these employees. Additional investigative actions, including interviews and a review of additional records, are required to definitively determine the involvement of any of these employees in the individual transactions under review.

Analysis of Surveillance Images and City Records – Overview

Surveillance Images

Frank Rubino initially stated to Kroll that surveillance footage at his facility was purged on a regular basis and could be provided for, at most, the previous thirty days. It was later revealed that Rubino Brothers uses an integrated computerized system which automatically captures images during scrap metal transactions, stamps the images with the ticket number pertaining to each transaction, and saves them indefinitely. Additional images are captured and preserved in the same manner for every transaction involving the onsite ATM machine.

Kroll requested surveillance images captured during the 209 cash transactions under review.²⁷ Rubino reports that due to system malfunctions, no images were captured or preserved for 62 of the transactions.²⁸ Review of images provided for the remaining transactions revealed that images from 55 were blank or completely obscured. Images from an additional 51 transactions were partially obscured and of little value.

Images of varying quality and evidentiary value were captured of vehicles and/or drivers involved in the remaining 41 transactions totaling approximately \$5,000.²⁹

The images provided by Rubino come from two sources:

- A camera above the scale in the warehouse (used only for nonferrous materials) and
- A camera mounted next to the ATM machine where drivers withdraw their cash payments

²⁶ Includes 6 tickets paid in cash and later turned over to the Department of Finance in April 2010.

²⁷ These 209 transactions were payments for 214 individual scale tickets. Rubino surveillance footage produced to Kroll is organized by ticket number. However, at times multiple tickets produced on the same day were paid under a single transaction number.

²⁸ Rubino records reflect that 24 of these 62 transactions were those paid by "Cash", as opposed to "ATM" or "EZCash". It appears likely that no images were provided for these transactions because they were indeed paid in cash and the ATM machine was not used.

²⁹ Included in these 41 transactions is Ticket/Transaction 234898/199716, the proceeds of which (\$115.20) were later turned in to the Department of Finance by a Parks Maintenance employee. Of the other five transactions from which funds were ultimately turned over to the City, no photos were provided for two (234867/199715, 244250/207682), and only obscured ATM photos were provided for the other three (244278/207711, 244283/207708, 244312/207732).

There is no camera on the truck scale, which is used to weigh ferrous metals.

Review of the photos reveals that during 2006 and 2007, the ATM camera was well-positioned to capture the drivers' faces as they received their payments:

- The ATM camera captured clear face shots of seven individuals who were involved in nine transactions in 2006-2007 and one transaction in 2008.
- Comparison with City of Stamford ID photo records (which are incomplete) identified two employees who appear very much like individuals involved in two of the transactions. All of the surveillance photos should be reviewed with supervisors or other employees who may be able to identify the pictured individuals from personal knowledge.

After late 2007, the ATM camera was inoperable or significantly obscured for the majority of transactions. Approximately 50 of these transactions involved only ferrous metals weighed on the truck scale, of which no images are preserved, meaning that no usable photo of any portion of the transaction was captured. Three additional transactions involved non-ferrous metal and appear to have been weighed in the warehouse, but no images were provided for these transactions either.³⁰

However, for 35 transactions the camera above the warehouse scale captured quality images of what appear to be City vehicles, carrying City metal, being offloaded by City employees:



³⁰ For one transaction on September 22, 2006 (114162) and two transactions on July 17, 2009 (185867, 185924), no images were provided from the warehouse scale. However, these transactions involved “old sheet”, which is typically non-ferrous. Based on the tare weights (0lbs, 35lbs, and 330lbs), these transactions do not appear to have involved the truck scale (which would have a tare weight for the vehicle transporting the metal). If these transactions took place in the warehouse, it is not clear why images were not captured or provided.

City Vehicles

Review and analysis identified what appear to be 15 distinct City vehicles involved in 35 individual transactions. Vehicle ID numbers were clearly visible for 5 vehicles. Likely make and model were discernible for the rest of the vehicles. Comparison with City refueling records indicates that the vehicles were likely assigned to the following divisions:

- Traffic/Road Maintenance – 21 Transactions³¹
 - 6 Utility Trucks – 13 Transactions
 - 1 Dump Truck – 8 Transactions
- Parks Maintenance – 3 Transactions³²³³
 - 2 Low-Bed Dump Trucks
- Board of Education – 10 Transactions
 - 3 Pickup Trucks – 2 Transactions
 - 3 Yellow Vans – 8 Transactions

City Metal

Four distinct types of metal are visible in trucks and on the warehouse scale:

- Traffic and street signs (in Traffic/Road Maintenance Trucks)
- Street lights (in Traffic/Road Maintenance Trucks)
- Metal posts (in Parks Maintenance Trucks)
- Building materials (in BOE trucks and vans)

City Employees

Images captured at the warehouse scale and the ATM camera contain profile and full body images of individuals in fluorescent yellow sweatshirts, blue uniform jackets, orange City of Stamford t-shirts, and at least one City of Stamford hat. The images capture these individuals unloading metal from trucks and standing at the ATM machine to collect their payments.

Comparison with City Records

To assist in identification of the drivers, the City of Stamford provided Kroll with:

³¹ As discussed in the section that follows, one additional transaction believed to involve a Traffic Maintenance Employee did not include surveillance images of a City vehicle but the individual captured by the ATM camera appears to be same individual pictured in a Traffic Maintenance Employee's City ID photo. Inclusive of this transaction, Kroll identified 22 transactions believed to involved Traffic Maintenance personnel.

³² This includes ticket 234868 on January 12, 2010, the proceeds of which were submitted to the City by a Parks employee on April 22, 2010. This count does not include tickets 244312/244250/244278/234867 which were submitted by that employee on the same date because images of vehicles were not captured during these transactions.

³³ As discussed in the section that follows, two additional transactions are linked to a Parks Maintenance employee based on his name tag visible in surveillance photos. No vehicles photos were provided in connection with these transactions.

- ID photos of approximately 1000 City employees. These records are incomplete due to multiple ID photo system failures.
- Makes, models, and license plate numbers of City-owned vehicles.
- Employee fuel card records which capture the dates and times at which individual vehicles were refueled and the City employee whose account was charged for the transaction.

While it appears that daily vehicle assignment logs may be maintained by individual City divisions, these were not available to Kroll for analysis. Kroll did not have photos of individual city vehicles for comparison with surveillance images nor did Kroll have access to the vehicles themselves for comparison. To the extent possible, Kroll compared face shots from the ATM camera to available employee ID photos. However, reviewing the ATM photos with City administrators or department supervisors would likely be a better way of identifying the individuals depicted.

Kroll reviewed the evidence provided regarding each transaction and built a database containing all of the transactions and any visible identifying characteristics of the vehicles, drivers, and metal being sold. Kroll then manually cross-referenced information for each transaction with vehicle rosters, ID photos, and fuel records provided by the City to attempt to identify the individuals most likely involved in each transaction.

A detailed accounting of all available photographic evidence pertaining to each of the 209 transactions is contained in the "Metals Master Spreadsheet" provided along with this report.

Identification of Subjects

To date, Kroll's analysis has identified 14 City employees suspected of involvement in the Rubino cash transactions. They are assigned to the following departments:

- Road and Traffic Maintenance (8 employees)
- Facilities Maintenance - Parks (5 employees)
- Board of Education (1 employee)

Of these 14 employees, Kroll identified strong corroborative evidence implicating 6 individuals across all three departments. Evidence implicating the remaining 8 employees is more circumstantial.

Strong corroborative evidence includes instances in which:

- An employee's photo ID picture appears to match a surveillance image
- Vehicle fuel records reflect that an employee's account was used to fuel a particular vehicle within hours of its being involved in a cash transaction
- An employee's name tag is visible in surveillance images

More circumstantial evidence includes instances in which fuel records reflect regular fueling of a particular vehicle with a particular employee's account within days of a cash transaction.

Identification of Vehicles, Departments, and Employees – Detailed Analysis

Surveillance photos provided for 35 of the transactions contained images of what appear to be City of Stamford vehicles parked in front of the warehouse scale. Based on Kroll's analysis, there appear to be 15 distinct vehicles involved in these 35 transactions. Each of these vehicles is a utility truck, a dump truck, a pickup truck, or a van. In some instances, the City vehicle identification number is clearly visible in the photo. In other instances, City vehicle rosters identified only a limited number of vehicles of the make and model pictured. Throughout this section, general abbreviations are assigned to each vehicle ("WUT-1" etc.) and they correspond to records in the master spreadsheet of transactions. Where possible, City-assigned vehicle numbers are identified as well.

Road Maintenance Vehicles and Employees – 22 Transactions

Utility Trucks – 13 Transactions

Surveillance images captured five distinct utility trucks involved in 12 transactions. One additional transaction involves a utility truck but the details are not clear enough to determine if it is the same as one of the vehicles involved in the other 12 transactions. In each of the 13 transactions, the metal visible in the back of the truck or on the scale is either street signs or an entire street light assembly cut up into sections.

Vehicle identification numbers are visible on three of these trucks: 611, 616, and 618. A review of City fuel logs indicates that these three trucks are operated by employees of the Traffic Maintenance Division.³⁴ Identification numbers are not visible on the other three trucks, but these trucks also are dropping off street signs and street lights, which suggests that their drivers are likely employees of the Traffic Maintenance Division as well.

In total, City vehicle rosters provided to Kroll identify 13 utility trucks in use by City departments. Based on fuel records, seven of these trucks appear to be operated by employees of the Traffic Maintenance Division, including trucks 611, 616, and 618 described above. Records linking individual employees to particular transactions are discussed later in this report. A general analysis of fuel logs for trucks used by the Traffic Maintenance Division over the past five years reveals that approximately 95% of refueling was performed using accounts assigned to seven employees:³⁵

³⁴ Fuel records identify both Road Maintenance and Traffic Maintenance employees as being assigned to the Traffic Maintenance Division.

³⁵ Fuel logs reflect that these vehicles were fueled 1177 times between 2006 and 2011. Out of those, 1109 were charged to fuel accounts in the names of the seven employees in this chart. During the same period, 15 other employee accounts were used to fuel each vehicle between one and seven times per account.

TRAFFIC MAINTENANCE UTILITY TRUCK FUELING BY DRIVER 2006 - 2011								
DRIVER	UTILITY 611	UTILITY 612	UTILITY 613 ³⁶	UTILITY 614 ³⁷	UTILITY 615	UTILITY 616	UTILITY 618	Grand Total
Warren Abad	189	7	2	67	1	3	3	272
Carl Vogt	6	3	137		49	3	2	199
Robert Sabia	22	74	2		3	67	8	176
Santo Didonato	7	3		1	2	2	147	162
Eamon Gillman³⁸	69	3			3	58	1	134
Keith Rich	11	12		7	4	27	22	83
Michael Boisfeuillet	8	47			9	14	5	83

The most frequent employee accounts used to refuel each truck are highlighted in yellow. The trucks in bold are those which are known to have been utilized in cash transactions.

White Utility Truck One (WUT-1) – Utility 618 – 2 Transactions

Two transactions in October 2008 and March 2009 involved what appears to be the same white utility truck with a flat emergency light bar and vertical integrated tail lights. In the second transaction, the vehicle number 618 is clearly visible.

- 10/20/2008 – Ticket 197746 – Transaction 169806 – \$44.10

Two heavyset white males are visible standing with what appears to be a street light cut into sections. One male is wearing a fluorescent yellow sweatshirt. Fuel records reflect that Didonato's account was the only one used to fuel Utility 618 between September and December of 2008. There is no fuel record for the date of the transaction.

³⁶ Prior to May 2008 Utility 613 was a 1997 Chevy CC30903. In 2008, vehicle number 613 was re-assigned to a 2008 Ford F-350SD Utility Truck. Both trucks were used by the Traffic Maintenance Division and usage records have been combined for this table.

³⁷ In 2006-2007, fuel logs identify Utility 614 as a truck with 90K miles on it under Unit ID (registration) 438-ST assigned to traffic enforcement. It appears that in late 2007, reg# 438-ST was reassigned to Utility 616, which was new at the time. It appears that in 2009, a new unit 614 was purchased and assigned reg# 273-ST. The usage of truck 614 reflected in this table is from 2009 on.

³⁸ Fuel records identify the account holder as "Eamon Gillmon" of the Traffic Maintenance Division and later of Collections. City employee rosters list an Eamon Gillman, who was assigned to Traffic Maintenance from January 2006 to April 2009. No other similarly named employee was identified in Traffic Maintenance or any other division. No fuel records were identified listing an account holder named "Gillman".

- 03/27/2009 – Ticket 209003 – Transaction 178570 – \$119.20

A white male in a fluorescent yellow sweatshirt is seen unloading green street signs from the back of Utility 618 with a black male in a blue work jacket with white shoulder patches. Fuel records reflect that in March, April, and May 2009, Utility 618 was fueled nine times with Didonato's account and one time with Rich's account. There is no fuel record for the date of the transaction.

White Utility Truck Two (WUT-2) – 1 Transaction

One transaction on February 22, 2010 involved a white utility truck with flat emergency light, solid tailgate, and red-over-white individual taillights. No vehicle number is visible in photos.

- 02/22/2010 – Ticket 238707 – Transaction 202992 – \$55.75

A white male in a fluorescent yellow sweatshirt and blue work jacket is visible next to the truck. A street light cut into sections is visible on the scale.

White Utility Truck Three (WUT-3) – Utility 611 – 3 Transactions

Three transactions involved what appears to be the same white utility truck with rectangular emergency lights, a fence tailgate, orange-over-red individual tail lights and worn grip tape on top of the tool storage boxes. In one image, vehicle number 611 is visible on the rear of the truck. City vehicle rosters identify truck 611 as a 2001 Ford F-550 Super Duty with utility body.

- 11/06/2008 – Ticket 199454 – Transaction 17117 – \$30.20

A white male in a fluorescent yellow sweatshirt is visible next to the truck in the warehouse. A street light cut into sections is visible on the scale. The ATM picture shows a white male, 50-60 years old, with glasses and gray beard. When compared with City employee ID photos, the male in this image appears to be Abad. Fuel records reflect that Abad fueled Utility 611 on November 4 and 7, 2010. The only truck fueled with Abad's account from September 2008 to February 2009 is Utility 611.



- 03/25/2010 – Ticket 241685 – Transaction 205496 – \$124.95

A white male in a fluorescent yellow sweatshirt and blue uniform jacket is visible near the truck in the warehouse. A street light cut into sections is visible on the scale. The ATM camera captures an individual in a fluorescent yellow sweatshirt with no jacket. Truck 611 was not fueled on this date. Abad's account was used to fuel it the day before, 3/24/2010.

- 03/25/2010 – Ticket 241697 – Transaction 205506 – \$114.75

Two white males in fluorescent yellow sweatshirts, one wearing a blue uniform jacket, are visible next to the truck. Street signs and a stop sign are visible on the scale. The individual in the blue uniform jacket appears the same as the individual visible in 241685 the same day. The ATM camera captures an individual in a fluorescent yellow sweatshirt similar to that captured in 241697.

White Utility Truck Four (WUT-4) Utility 616 – 2 Transactions

Three transactions involved what appears to be the same white utility truck with rectangular emergency lights, a solid tailgate, and vertical integrated taillights. Visible on the rear of the vehicle during each transaction is the number 616. City vehicles rosters identify Truck 616 as a 2007 Ford E-350 with utility body.

- 03/11/2008 – Ticket 171346 – Transaction 149399 – \$59.00

An individual is seen standing in the rear of the truck and a streetlight cut into sections is visible on the scale in the warehouse. No ATM pic was provided. A copy of the scale ticket provided by Rubino Brothers identifies the weigh in time as 10:56 AM. City fuel records reflect that Sabia's account was used to fuel Utility 616 at 11:58 AM on this date.

- 12/31/2009 – Ticket 234019 – Transaction 198955 – \$70.10

Two street lights cut into sections are visible on the scale. A copy of the scale purchase ticket provided by Rubino Brothers identifies the weigh in time as 8:58 AM. City fuel records reflect that Sabia's account was used to fuel Utility 616 at 2:22 PM on this date. The ATM camera captures an individual in a fluorescent yellow sweatshirt under a blue uniform jacket with "Keith" on the name tag. City fuel records indicate that the account of Keith Rich of Traffic Maintenance was used to fuel Utility 616 27 times between 2006 and 2011.

White Utility Truck Five (WUT-5) – 1 Transaction

One transaction involves a white utility truck with a solid tailgate, late model mirrors, and clean grip tape on top of the tool storage boxes that appears very much like Utility 616. The number visible on the rear of the truck appears to be 616 but is somewhat obscured.

- 02/09/2010 – Ticket 237703 – Transaction 202164 – \$169.20

Street signs and a one way sign are visible on the scale. Fuel records reflect that Sabia's account was used to fuel Utility 616 at 10:48 AM. A scale purchase ticket provided by Rubino Brothers reflects that the weigh in time was 12:13 PM.

Orange Utility Truck One (OUT-1) – 4 Transactions

Four transactions between January 2008 and February 2009 involved what appears to be the same orange utility truck (OUT-1), with an emergency light on the roof, a fence tailgate, and rust on top of the driver's side tool compartment. It appears to be a mid-1990s model Chevy or GMC based on a comparison with stock photos of various model utility trucks found on the Internet.



Three transactions with this vehicle involve the sale of street signs and the fourth appears to be a street light. These are the same types of metal delivered in other vehicles known to be used by Traffic Maintenance. City vehicle rosters identify four mid-1990s Chevy and GMC utility trucks in use by the City during this period. One appears to have been used exclusively by a marina supervisor. Three appear to be assigned to Traffic Maintenance:

- Utility 97 – 1998 Chevy 1500

Fuel records reflect that this truck was fueled solely by an employee named Hamilton in Parks Maintenance from to 2006 to 2009. The only employee by that name active during that period is Kenneth Hamilton, a marina supervisor. The truck was reassigned to Fleet Management in late 2009.³⁹

- Utility 612 – 1996 Chevy CC30903

Fuel records reflect that this truck is primarily fueled using the accounts of Sabia and Boisfeuillet of Traffic Maintenance.

- Utility 613 – 1997 Chevy CC30903

³⁹ Vehicle rosters from 2008 and 2009 reflect that this vehicle, vin# 1GCEK14M4WE239484, was previously assigned Unit #459 and reg 325-ST. During that time the vehicle was only ever fueled using the account of Hamilton in Parks Maintenance.

This vehicle appears to have been replaced in May 2008. The four transactions involving OUT-1 continued into February 2009.

- Utility 615 – 1995 GMC TC30903

Fuel records reflect that this truck is primarily fueled using the account of Vogt of Traffic Maintenance.

Because Utility 613 was replaced in May 2008, and the transactions involving OUT-1 extend into February 2009, it seems most likely that the truck used in these transactions is either Utility 612 or Utility 615.

Review of fuel logs for Utility 612 and Utility 615 found that the accounts of Abad, Boisfeuillet, Didonato, and Vogt were used to fuel these vehicles within days of each transaction. In one instance, January 18, 2008, Boisfeuillet's account was used to fuel Utility 612 on the day of a transaction.

- 01/18/2008 – Ticket 165992 – Transaction 145291 – \$163.50

Green street signs and a stop sign are visible on the scale. No ATM pic was provided. Boisfeuillet's account was used to fuel Utility 612 on this date.

- 02/06/2008 – Ticket 167867 – Transaction 146745 – \$139.50

Green street signs and other traffic signs are visible on the scale. A white male is seen standing next to the scale. No ATM pic was provided. Boisfeuillet's account was used to fuel Utility 612 the day before. Abad's account was used to fuel 612 two days later.

- 12/10/2008 – Ticket 202006 – Transaction 173143 - \$22.05

A street light cut into sections is visible on the scale. An individual in a fluorescent yellow sweatshirt is visible in the ATM photo. Sabia's account was used to fuel Utility 612 on 12/9/2008 and 12/11/2008. Didonato's account was used to fuel Utility 615 on 12/9/2008. Vogt's account was used to fuel 615 on 12/11/2008.

- 02/05/2009 – Ticket 205295 – Transaction 175675 – \$81.00

Green street signs are visible on the scale. The ATM photo is completely obscured. Abad's account was used to fuel Utility 612 on 2/4/2009. Vogt's account was used to fuel 615 on 2/4/2009. Sabia's account was used to fuel 612 on 2/9/2009.

White Dump Truck One (WDT-1) – 8 Transactions

Eight transactions involve a small white dump truck with a large orange strip of plastic or similar material affixed diagonally across the front interior of the bed, directly behind the cab. The vehicle number is not clearly discernible in images reviewed but the orange strip is distinctive. The truck appears similar to a 2000s model Chevy or GMC. However, the City owns several such vehicles with dump/low-bed bodies. City personnel should review the photos of this truck to identify it from personal knowledge or it should be identified through physical examination of Traffic Maintenance vehicles.



- 08/21/07 – Ticket 151872 – Transaction 134446 – \$165.50

A heavyset white male in a blue sweatshirt is visible next to the truck. Street signs and a Do Not Enter sign are visible on the scale. Ferrous metal is visible in the rear of the truck.⁴⁰ No ATM picture was provided.

- 11/14/08 – Ticket 200158 – Transaction 171680 – \$140.80

Two black or Hispanic males are visible in the warehouse. Municipal Parking lot signs are visible on the scale. The ATM camera captures a black or Hispanic male with dark goatee and camouflage shirt.

- 11/19/08 – Ticket 200458 – Transaction 171919 – \$32.60

A large light post is visible on the scale. A white male in a blue sweatshirt is visible at the ATM with his face obscured.

- 11/19/08 – Ticket 200470 – Transaction 171928 – \$94.00

A white male in a dark sweatshirt and what appears to be a black or Hispanic male in a fluorescent yellow sweatshirt are visible in the warehouse. Three rectangular street lights cut into sections are visible on the scale.

- 08/13/09 – Ticket 220400 – Transaction 187717 – \$113.40

Street and traffic signs are visible on the scale. A white male in an orange shirt with his face obscured is visible at the ATM.

⁴⁰ Ticket number 151873 for 620lbs of #1 Steel – Unp was settled under the same transaction number. This is likely the metal visible in the back of the truck which was then weighed on the truck scale.

- 10/09/09 – Ticket 225792 – Transaction 192113 – \$45.45

No metal is visible on the scale. What appears to be duct work or similar material is visible in the back of the truck.

- 12/11/09 – Ticket 232315 - Transaction 197491 – \$135.45

Street and traffic signs are visible on the scale. A fluorescent yellow sweatshirt is visible on the ATM camera.

- 01/25/10 – Ticket 236173 – Transaction 200859 – \$119.20

A street light cut into sections is visible on the scale. A fluorescent yellow sweatshirt is visible on the ATM camera.

ID Photo Match – One Transaction

For one transaction, no warehouse pictures were provided. However, the individual in the ATM photo appears to match the ID photo of a Traffic Maintenance employee.

- 10/11/2007 – Ticket 156796 – Transaction 138158 – \$23.60

This transaction involved the sale of light iron and no warehouse photo was provided. The ATM photo is a clear shot of a white male in a baseball cap who appears very much like Eric Lent of Road Maintenance:



Parks Maintenance Vehicles and Employees – Four Transactions

Parks maintenance vehicles were found to be involved in three of the transactions for which photos of vehicles were provided.

Low-Bed Dump Trucks – Three Transactions

White Dump Truck Two (WDT-2) – Low Bed 444 – Two Transactions

Two transactions involved what appears to be the same white low-bed dump truck with a windowed box and extended side rails. The number 444 is clearly visible in photos of one transaction while the number appears as either 444 or 441 in another. City vehicle rosters reflect that no vehicle 441 was in use at the time of that transaction. City vehicle rosters identify vehicle 444 as a 2008 Ford F-350 with a Low-Bed body. Its registration number is identified as 217-ST.⁴¹

- 06/24/09 – Ticket 216059 – Transaction 184257 – \$36.20

A heavysset white male is visible in the warehouse and a plastic bucket full of metal is visible on the scale. The number 444 is clearly visible on the tailgate of the truck. Fuel records reflect that Parks Maintenance employee Robert Green's account was the only account used to fuel Low-Bed 444 during all of June 2009. The account of Parks Maintenance employee F. Baldassare, Jr. was used to fuel this truck in May 2009.⁴²

- 01/12/10 – Ticket 234867 – Transaction 199716 – \$115.20

The payment receipt and proceeds from this transaction were later turned in to the Department of Finance by a Parks Maintenance employee on April 22, 2010, more than three months after the transaction took place. The Report of Collections filed with that ticket (and four others turned in that day) stated "Disposal of 55 gallon barrels from behind Cove Island Barn."

Surveillance images of this transaction show lengths of green metal post cut into sections on the scale. A white male in a blue jacket is visible next to the scale and a second individual is visible next to the truck. The truck was not fueled on the date of this transaction. Fuel records reflect the account of Kevin Smith was used to fuel the truck on 01/07/2010. Truck was next filled using Robert F. Huntley Jr.'s⁴³ account on 02/03/2011.

The employee also turned in a payment receipt for Ticket/Transaction 234868/199716 which occurred on the same date, minutes after the above transaction. This involved ferrous metals so no warehouse photo was provided by Rubino Brothers. No ATM photos were provided for either transaction.

⁴¹ Fuel records identify this vehicle simply as "Dump" but refer to its Unit ID (registration number) as 217.

⁴² Fuel records identify this individual as "Baldassar" assigned to Operations – Parks Maintenance. City employee rosters identify only one individual with a similar name, F. Baldassare, Jr. assigned to Facilities Maintenance.

⁴³ Fuel records identify this individual as "Huntley" assigned to Operations – Parks Maintenance. City employee records identify three individuals by the name Huntley. One is assigned to the Police Department, another is assigned to the Terry Connors Rink, and a third, Robert E. Huntley Jr. is assigned to Facilities Maintenance.

White Dump Truck Three (WDT-3) – One Transaction

One additional transaction involved a white dump truck which appears nearly identical to truck 444 above, but has slightly lower side rail extensions and the vehicle number is not visible.

- 09/24/08 – Ticket 194742 – Transaction 167516 – \$97.65

Lengths of blue metal post are visible on the scale and two males are visible who appear to be involved in the transaction, one standing next to the truck, the other next to the scale. The individual next to the truck, though far from the camera, looks somewhat like Robert F. Huntley's ID photo. No ATM photo was provided for this transaction.

Name Tag Match – 2 Transactions

ATM photos from two transactions on October 15, 2008 show a black male in a blue or green uniform shirt, with a round shoulder patch and a nametag that reads "Terry":

- 10/15/08 – Ticket 197290 – Transaction 165448 – \$162.00
- 10/15/08 – Ticket 197314 – Transaction 169461 – \$70.55

City employee rosters identify only one employee by this name active in 2008, Terry Middleton of Facilities Maintenance. Fuel records indicate that Middleton is assigned to Parks Maintenance.⁴⁴ No City ID photo was provided for Middleton. No vehicle photos from the warehouse were provided for either transaction.

Board of Education Vehicles and Employee – 10 Transactions

Nine of the 209 cash transactions under review were booked to "City of Stamford – BOE", which is a separate vendor account in the Rubino system from the accounts to which the other 200 transactions were booked. In these nine transactions, Rubino did not provide any surveillance photos for one, and for another provided only an obscured ATM photo. Photos for the seven remaining BOE transactions depicted vehicles which, based on City records, appear to be assigned to BOE. Kroll's review identified an additional three transactions booked to the general City of Stamford account which also appear to have involved BOE vehicles. In total, 10 transactions appear to have involved BOE vehicles based on available surveillance images.

In each transaction, long narrow pieces of aluminum material appear on the scale. None of the transactions linked to Road Maintenance or Parks reviewed to date have involved this type of material.

Notably, after April 7, 2010, Rubino records reflect only eight cash payments not accounted for in City records reviewed by Kroll. Six of those payments were booked to BOE, including an August 13, 2010 payment issued the day after Kroll's investigators visited Rubino Brothers.

While none of these transactions has been accounted for in the City's Recycling or Surplus Property accounts reviewed to date, Kroll notes that transactions booked to BOE on August 19, 2010 and August 27, 2010 were in fact paid by check but are not reflected in these accounts either. Rubino records reflect that Check 44417

⁴⁴ Employee rosters identify two employees by the name of Terrance who were active in 2008: Terrance McGrath, who is a firefighter, and Terrance Daily who was a dockmaster.

for \$75.00 stemming from Ticket 259895 and Check 44376 for \$26.20 stemming from Ticket 258804 were issued directly to BOE and were deposited in September 2010. All previous transactions booked to BOE appear to have been paid in cash. Check images provided by Rubino Brothers reflect that the checks were endorsed with a stamp reading "For Deposit Only City of Stamford Board of Education." The account number is not legible in check images. A detailed review of BOE accounts should be performed to verify whether any of the cash payments under review in this investigation were received by BOE and deposited to an account other than the City's designated account for recycled metal.

BOE Pickup Trucks – 2 Transactions

Kroll identified what appear to be two distinct pickup trucks delivering the same type of metal during transactions booked to BOE

- 03/27/09 – Ticket 209076 – Transaction 178643 – \$42.65

This transaction is booked to BOE. Surveillance photos show an open bed pickup truck with a rack and extended mirrors that appear similar to those available on 2000s models Ford F350 pickups (PUT-1). Two white males, one in overalls, are visible loading lengths of aluminum material onto the scale.

BOE has eight Ford F-350s in its vehicle roster. None of these F-350s was fueled on the date of this transaction.

- 06/02/09 – Ticket 214283 – Transaction 182854 – \$67.00

This transaction is booked to BOE. Surveillance photos show a red pickup truck, with 713 visible on the tailgate (PUT-3). On the scale are lengths aluminum material. No individual are visible in the warehouse with the truck. The ATM photo is entirely obscured.

BOE vehicle rosters reflect that Unit 713 is a 2006 Ford F-350 pickup truck. Fuel logs reflect that Pickup 713 was fueled at 11:31 AM on this date using the account of Philip Cornelio Jr., a carpenter whose assignment is recorded as BOE – Boyle. The scale ticket pertaining to this transaction indicates that the weigh in time was 10:45 AM.

BOE Vans – 8 Transactions

Yellow Van One (YV-1) Van 726 – Three Transactions

Three transactions involved a yellow late-1980s to mid-1990s model GMC van, with no roof rack. The number on the rear of the van is not entirely clear in photos but appears to be 726. Review of City vehicle rosters reveals that the only older model GMC van recorded therein is Van 726 assigned to BOE.

- 11/19/08 – Ticket 200446 – Transaction 171908 – \$10.40

Two white males are seen standing in the warehouse, one in a red flannel shirt the other in a dark jacket. Lengths of metal material are visible on the scale. No ATM photo was provided.

Fuel records indicate that Cornelio's account was used to fuel Van 726 at 8:26 AM on this date. The scale ticket provided by Rubino Brothers indicates a weigh in time of 7:47 AM.

- 04/12/10 – Ticket 243685 – Transaction 207226 – \$101.2

This transaction was booked to BOE. A male is seen walking next to the van in the warehouse. Lengths of what appears to be aluminum studs or similar material is visible on the scale. The ATM photo is largely obscured and shows only the individual's sleeve.

Fuel records reflect that Cornelio's account was used to fuel Van 726 at 10:10 AM on this date. No scale ticket was provided to Kroll for this transaction.

- 04/19/10 – Ticket 244493 – Transaction 207888 – \$107.55

This transaction was booked to BOE. Lengths of metal and aluminum screens are visible on the scale. A white male in a hat is seen next to the van and in the ATM photo. This individual resembles Cornelio's ID photo but shots are dark and low on detail.

Fuel records reflect that Cornelio's account is the only account used to fuel this van from 2006 to 2010. The vehicle was not fueled on the date of this transaction.

Yellow Van Two (YV-2) – Two Transactions

Two transactions involved what appears to be the same yellow late-1980s to mid-1990s model Chevy van with silver trim and no roof rack. The vehicle number is not visible in photos, but one of the transactions is booked to BOE and both involve the same type of metal:

- 04/28/08 – Ticket 177031 – Transaction 153827 – \$110.50

A white male is visible next to the van. He looks somewhat like Cornelio's ID photo. Lengths of aluminum material are visible on the scale. No ATM photo was provided. No scale ticket was provided for this transaction so the exact time is unknown. Fuel records reflect that Cornelio's account was used to fuel Van 726 at 8:57 AM on this date. The van in this transaction has silver trim, whereas the van believed to be 726 does not.

- 01/21/09 – Ticket 204375 – Transaction 174964 – \$69.30

This transaction was booked to BOE. A male in a dark sweatshirt is visible next to the van. Lengths of aluminum material are visible on the scale. The ATM photo is completely obscured.

Yellow Van Two (YV-3) – Three Transactions

Three transactions involved what appears to be the same yellow late-1980s to mid-1990s model Chevy van with silver trim and a roof rack. The vehicle number is blurry in photos, but may be 727, which is a 1995 Chevy Van assigned to BOE. Fuel records for this vehicle have not been identified based on its vehicle number or registration number. One of the transactions is booked to BOE and all three involve the same type of metal.

- 03/11/10 – Ticket 240392 – Transaction 204416 – \$128.00

A male is visible next to the van. Lengths of aluminum material and a metal sink are visible on the scale. The ATM photo is completely obscured.

- 04/28/10 – Ticket 245625 – Transaction 208858 – \$48.60

A male is visible next to the van. Lengths of aluminum material and a metal sink are visible on the scale. The ATM photo is completely obscured.

- 08/06/10 – Ticket 257310 – Transaction 218618 – \$46.80

Two males are visible next to the van in the warehouse. One looks similar to Cornelio's ID photo. Lengths of aluminum are visible on the scale. The ATM camera shows an individual who looks similar to Cornelio's ID photo. This individual appears to be the same individual pictured in the ATM photo from Ticket/Transaction 244493/207888.

Ten Transactions Booked to Likely City Employees

Based on information provided by confidential informants and the client, Kroll submitted a list of 61 Traffic Maintenance and Transfer Station employees to Rubino Brothers and asked that Rubino records be checked for any transactions involving these employees individually. Rubino Brothers identified records of transactions with five individuals whose names match those of employees of the Road and Traffic Maintenance department. Kroll requested that Rubino Brothers produce surveillance photos from each of these transactions but, to date, has received no response. Absent surveillance images, it is unknown whether these transactions involved City vehicles or City metal.

The addresses listed in Rubino Brothers records for each of these individuals should be compared to City employment records to confirm that the individual named in the record is in fact a City employee.

Ticket #	Transaction Date	Employee Name Match	Total Paid	Metal Sold
249265	Friday, May 28, 2010	Caporale, Robert J. ⁴⁵	84.20	old sheet / lead batteries
201261	Monday, December 01, 2008	Cruz, Jose	21.70	old sheet / lead batteries
201268	Monday, December 01, 2008	Cruz, Jose	7.25	old sheet / lead batteries
224563	Monday, September 28, 2009	Echeverria, Markos D	96.25	old sheet / irony aluminum
215313	Monday, June 15, 2009	Iannaccone, Peter	42.25	old sheet
218388	Tuesday, July 21, 2009	Vitti, Ralph	25.50	copper / brass
222384	Thursday, September 03, 2009	Vitti, Ralph	26.00	copper / brass
222930	Thursday, September 10, 2009	Vitti, Ralph	48.30	Copper
227507	Tuesday, October 27, 2009	Vitti, Ralph	102.80	copper / brass
262942	Wednesday, September 22, 2010	Vitti, Ralph	23.25	Brass

⁴⁵ City records identify two different employees by the name of Ronald J. Caporale in Road Maintenance.

6

LaJoie's Auto and Scrap Recycling

City records reflect that in the two years prior to the commencement of the November 2007 contract with Rubino Brothers, the City transfer station routinely sent scrap metal both to Rubino Brothers and to LaJoie's Auto and Scrap Recycling. However, prior to September 2007, the City's general ledger for metals revenue lists only aggregate payments from these vendors and does not distinguish between payments from Rubino and payments from LaJoie's.

In September, November, and December 2007, City revenue records reflect three payments received from LaJoie's, each by check, totaling approximately \$4,096. City records detail one additional check received from LaJoie's in November 2008 for \$10.04.⁴⁶ Records produced by LaJoie's indicate that these were the only payments made to the City of Stamford by check during this period.

At Kroll's request, LaJoie's conducted a search of company records for any cash transactions involving the City of Stamford or individual City employees identified by Kroll. While LaJoie's identified 14 transactions involving possible City employees, no additional cash transactions booked to the City were identified.⁴⁷

Interview of James Murphy

On August 12, 2010, Kroll investigators visited LaJoie's Auto and Scrap Recycling in Norwalk and spoke with the manager, James Murphy.

Murphy stated that LaJoie's maintains records for all transactions, cash and check. His employees are trained to document plate numbers and truck numbers for municipalities dropping off scrap metal, including the City of Stamford. Murphy related that it is his job to know from whom he is getting his scrap metal.

⁴⁶ The April 9, 2010 cash payment for \$3,149 from LaJoie's is accounted for in the City's Sale of Surplus Property Account.

⁴⁷ As was the case with Rubino Brothers, absent subpoena power or a court order Kroll relied on LaJoie's voluntary cooperation to review their internal records and produce to Kroll documents which were responsive to Kroll's request.

Murphy stated that LaJoie's has issued checks to the City of Stamford in the past. Regarding the incident in April 2010, Murphy stated that the transaction was handled by a new employee who mistakenly paid Richard Valentine in cash because the employee did not know any better.

Murphy stated that it is not uncommon for municipalities to make special requests to be paid in cash. He stated that this usually occurs around November and that they call or come in requesting to be paid off the record for scrap, and state that they have authorization from someone within their department. Murphy stated that on these occasions, he requires that the person provide the name of the individual authorizing the transaction, and would document the information. He could not recall if any of these incidents involved Stamford employees, but agreed to check his records.

Murphy agreed to search all of LaJoie's records, and pull all transactions relating to the City of Stamford. Murphy stated that he could search by name any individual to whom LaJoie's had made cash payments and that he would search for names of Stamford employees provided by Kroll.

LaJoie's Reports No Additional Cash Payments Following Internal Review

LaJoie's reported to Kroll that the company searched available records for any cash transactions booked to the City of Stamford or to any individuals on a list of approximately 60 Operations employees provided by Kroll. As detailed below, LaJoie's produced to Kroll records of 14 cash payments to six likely City employees.⁴⁸ The payments totaled \$7,150. LaJoie's does not appear to maintain, and did not provide, any surveillance images captured during individual transactions. Based solely upon records reviewed by Kroll there is no way to determine whether these transactions involved City vehicles or City metals.

LaJoie's produced to Kroll detailed lists of checks paid to the City of Stamford. No underlying documentation, such as individual scale tickets or receipts, was provided for these transactions. For those payments made from September 2007 forward, City records confirm that these checks were received and accounted for in the City recycled metals account.

LaJoie's reported that a manual search of scale tickets on hand at their facility did not identify any additional cash transactions involving the City of Stamford.

Fourteen Transactions Booked to Likely City Employees

Based on information provided by confidential informants, Kroll submitted a list of 61 Traffic Maintenance and Transfer Station employees to LaJoie's and asked that the company's records be checked for any transactions involving these employees individually. LaJoie's identified records of transactions with individuals whose names match those of five employees of the City Transfer Station and two employees of the Road Maintenance department. No surveillance footage is available for these transactions nor do LaJoie's records indicate whether the vehicle involved in each transaction was a City vehicle or if the metal appeared to have been City metal.

Where available, the addresses listed in Rubino Brothers records for each of these individuals should be compared to City employment records to confirm that the individual named in the record is in fact a City employee.

⁴⁸ Records produced were based on name match only. For those records containing an address, this information should be compared to City employment records to confirm if the individual named in the transaction is in fact a City employee.

Ticket #	Transaction Date	Employee Name Match	Employee Department	Total Paid	Metal Sold
961981	Thursday, September 04, 2008	Brzoska, Gerald	Transfer Station	731.00	copper wire / yellow brass
133767	Saturday, November 06, 2010	Brzoska, Gerald	Transfer Station	985.00	battery (231lbs) / copper pipe / yellow brass / alum / copper wire / other
125420	Monday, June 21, 2010	Lavoie III, Donald	Transfer Station	70.00	"304 s/s"
133099	Wednesday, October 20, 2010	Mangano, Dominick	Transfer Station	892.00	copper wire / copper pipe / steel / alum rims / yellow brass / battery
123100	Friday, December 10, 2010	Mangano, Dominick	Transfer Station	50.00	battery "net 5"
123099	Friday, December 10, 2010	Mangano, Dominick	Transfer Station	1,348.00	Alum rims / s/s / copper wire / copper pipe / yellow brass / others
9215_	Tuesday, July 15, 2008	Pellegrino, David	Transfer Station	637.00	yellow brass / cop pip / irony alum / cop wire /
121627	Tuesday, April 13, 2010	Pellegrino, David	Transfer Station	566.00	alum rims / cop wire / cop pipe / yellow brass / battery
120_	Tuesday, April 20, 2010	Pellegrino, David	Transfer Station	178.00	battery
120211	Monday, May 03, 2010	Pellegrino, David	Transfer Station	315.00	700lbs of aluminum
13406_	Thursday, November 18, 2010	Pellegrino, David	Transfer Station	324.00	cop wire / alum / brass / cop pipe
129910	Tuesday, August 31, 2010	Sabia, Robert	Road Maintenance	51.00	Cast Alum / Iron Alum
111744	Wednesday, November 11, 2009	Vaccaro, Anthony	Transfer Station	780.00	cop pipe / cop wire / brass / alum rims
116936	Saturday, February 06, 2010	Valentine, Richard	Road Maintenance	223.00	cop wire / brass / battery



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